



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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PUBLIC INSTRUCTION

January 9, 2009

MEMORANDUM

TO: Intermediate School District Directors of Special Education

FROM: Jacquelyn J. Thompson, Director
Office of Special Education and Early Intervention Services

SUBJECT: Individualized Education Program (IEP) signatures and the use of the IEP Addendum

DISSEMINATE TO LEAs AND PSAs

This memorandum is in response to questions that have recently surfaced regarding the Individualized Education Program (IEP) signatures and the use of the IEP Addendum. The following clarification specifically responds to two questions:

- Is it mandatory for the superintendent's designee to sign the commitment page at the IEP Team meeting?
- Does an IEP addendum need to have a place for a parent to agree or disagree?

IEP Signatures and Participants

It is the intent of the Office of Special Education and Early Intervention Services (OSE-EIS) that the school district signs the IEP at the conclusion of the IEP Team meeting.

There is no requirement for signatures on the IEP in the Individuals with Disabilities Education Act. The OSE-EIS sample IEP form includes commitment signatures for district(s) and parents for the convenience of documenting consent or disagreement and to ensure that parents understand exactly the programs and services their child will receive.

Federal regulation §300.321 defines the IEP Team. One required member of the Team is a representative of the public agency. This person is defined as a person,

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"... who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; is knowledgeable about the general education curriculum; and is knowledgeable about the availability of resources of the public agency."

The federal regulations clearly state that, "...the agency representative have the authority to commit agency resources and be able to ensure that whatever services are described in the IEP will actually be provided." No representative of the public agency may 'override' or 'veto' portions of the IEP after the IEP is completed.

Addendum

The IEP Addendum is a useful tool to adjust the IEP. Federal regulation §300.324(a)(4) states that the addendum shall only be utilized if both the parent and the school district agree to the use of the addendum. If either party does not agree to the use or content of the addendum, then the addendum may not be used and an IEP Team meeting would be convened.